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Review of the efficiency of the administrative and financial functioning of the United Nations

Human resources management

Letter dated 9 June 1999 from the Secretary-General to the President of the General Assembly

I have the honour to refer to the attached letter dated 7 June 1999 which I have received from the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Justice Louise Arbour (see annex). I would be grateful if you could have the present letter and its annex circulated among the members of the General Assembly.

In her letter, the Prosecutor has outlined the requirements facing her office in the light of developments in Kosovo and the need to carry out forensic investigations as soon as international forces are allowed to enter the area. Following a determination of the scale of the required operations and the need to act immediately, the Prosecutor concludes that the only way to allow immediate investigations is through the use of gratis personnel. Consequently, she has asked my approval for seeking and accepting a number of gratis personnel from Member States.

The Prosecutor has identified a need for multifaceted investigation teams, which would perform specialized functions in crime scene examinations, ballistic and explosives assessment, weapons and munitions identification, evidence-gathering, and ethnic cleansing assessment. For this operation, the Prosecutor has concluded that approximately 12 such teams are required, or up to 300 personnel. The level and quantity of expertise required to perform these tasks are not available within the United Nations in the time-frame required.

The Prosecutor has insisted on expeditiousness in this operation and I believe her concerns for immediate action are fully justified. In comparison to the investigations of the International Tribunal in Bosnia and Herzegovina, where access to crime sites was not possible until months or years after the fact, the immediate presence of forensic investigative teams in Kosovo would put the International Tribunal in a much better position to secure crime sites and gather evidence before these are tainted or lost. Immediate action would

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facilitate the collection of crucial evidence within a short span of time and enable the fulfilment of the International Tribunal's mandate in an efficient, effective and timely way.

Not only should such an operation be mounted as soon as possible, it also needs to be completed within a short period of time, as the return of refugees to their homes and the beginning of winter would complicate the investigative work. The Prosecutor has estimated that, with the estimated number of up to 300 personnel, the work could be completed within six months.

In order to secure such a large number of personnel at short notice, the Prosecutor would address all Member States with requests for the short-term loan of experts. Suitable gratis personnel would be selected and accepted subject to the regime applicable to gratis personnel as established by the General Assembly and subsequent administrative issuances, including the conclusion of a standard agreement with donor countries.

Consequently, I believe that the approach suggested by the Prosecutor falls within the criteria and requirements for the acceptance of gratis personnel established by the General Assembly in its resolution 51/243 of 15 September 1997. While this request involves a large number of personnel, I also believe that the nature of the situation and the need for urgent action warrant such numbers. On this basis, it is my intention to approve the request of the Prosecutor of the International Tribunal to proceed with issuing invitations to all Member States to offer gratis personnel, and to accept experts for the specialized functions as identified by the Prosecutor, for a period of six months.

I have also forwarded the Prosecutor's letter to the President of the Security Council.

(*Signed*) Kofi A. **Annan**
Secretary-General

Annex

Letter dated 7 June 1999 from the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the Secretary-General

Following discussions last week between the Registrar of the International Tribunal for the former Yugoslavia, Mrs. Dorothee de Sampayo, the Deputy Prosecutor, Mr. Graham Blewitt, and Secretariat officials in New York, I am writing to request your assistance in the matter of carrying out forensic investigations in Kosovo.

Four Security Council resolutions have called upon the Prosecutor of the International Tribunal to conduct investigations in Kosovo: resolutions 1160 (1998) of 31 March 1998; 1199 (1998) of 23 September 1998; 1203 (1998) of 24 October 1998; and 1207 (1998) of 17 November 1998.

However, as you know, recent events have created an entirely new and overwhelming situation, one that could not have been anticipated and one with which the Prosecutor's Office is unable to cope. Due to the scale of destruction, and the widespread abuses of human rights reported in Kosovo, the International Tribunal will have to deal with an unprecedented quantity of tasks once it is possible to enter Kosovo. If the Tribunal is to fulfil its mandate by any basic standards, it is anticipated that it will be necessary to undertake and complete separate crime scene examinations at more than 16 sites in Kosovo. I must point out, however, that this preliminary assessment is based on the information now available. The actual size of the task before us will have to be determined once access to the area is possible.

Moreover, the investigations will have to be carried out at very short notice, and must commence as soon as safety permits. The main lesson that has been learned from International Tribunal investigations in Bosnia and Herzegovina is that the Office of the Prosecutor must be in a position to commence its on-site crime scenes investigations as soon as access is possible and before essential evidence is lost forever. We will only have one opportunity to complete these on-site investigations.

As I indicated, the initial aspect of this work is to undertake on-site crime scene examinations. To do this work, multifaceted investigation teams involving forensic and other specialists will be required to gather and record evidence at the various crime scenes that have been prioritized by this Office. The teams will need to contain capabilities in the areas of ballistic and explosives assessment, weapons and munitions identification, crime scene assessment, evidence-gathering, and ethnic cleansing assessment. It will also be essential to maintain the integrity of any evidence available at the crime scenes and, in this regard, it will be necessary to complete much of the investigative work in a very short period of time, preferably before the refugees return to their homes and villages (which, in most instances, will be crime scenes). Finally, to ensure that it will be possible to adduce admissible and reliable testimony at future trials before this Tribunal, these teams must undertake the work on the Prosecutor's behalf and under my direction.

The Office of the Prosecutor does not have the capacity or the expertise required for this scale of operations, nor any ability to undertake such extensive crime scene investigations at such short notice. Neither did the Tribunal's budget allocation for 1999 provide for the massive level of urgent investigative capacity that is outlined herein,

particularly the level of specialized expertise required for the task. Responding to the early resolutions in 1998, a supplementary budget was approved to enable investigative activity in Kosovo to begin. Although modest, the budget enabled us to establish a team of 10 persons dedicated to Kosovo investigations. This team comprises investigators, lawyers, analysts and translators and will continue to work on the Kosovo investigations. However, they have no expertise in forensic work.

We have considered this matter carefully and we believe that the immense task with which we have so suddenly been confronted can be achieved only with the urgent assistance from Member States. What we require is the assistance of several national investigation teams with the capabilities outlined above, to undertake on-site crime scene examinations in Kosovo as soon as it is possible to gain access to the region. It is likely that forensic investigation teams with the capabilities we require are available at the national level and can be assembled at fairly short notice.

In order to carry out the work we have prioritized, we envisage the formation of approximately 12 forensic investigation teams. Though at this stage it is not possible to identify the exact number of personnel that would be required to staff these teams, the preliminary projection is that a total of approximately 300 experts may be needed. We estimate the work would be completed by experts within a maximum period of six months, as the window of opportunity is narrow: before the return of the refugees and before the onset of winter.

We have given much thought to the question of how to link these teams to the work of the Tribunal and a number of options have been examined. Two prerequisites are considered essential. The first is that the forensic investigation teams require the proper **authority** under which to conduct their investigations in Kosovo and the second is that they would conduct their investigations under the general **control and direction** of the Prosecutor's Office.

We have determined that the only viable way in which to address both requirements would be to involve national investigation teams in this urgent task under the gratis personnel regime of the United Nations. This regime is specifically created to urgently provide highly specialized functions not available within the Organization, on a temporary and exceptional basis. It enables Member States to make expertise available to the Organization and to link that expertise to the Organization itself. In this way, both the problem of authority and that of control are overcome.

I am fully aware of the fact that the quantity of the prospective personnel involved in this urgent operation is exceptional. I am also cognizant of the difficulties that the Tribunal has had with the gratis personnel regime. However, we see no other way in which we can effectively and adequately conduct the investigations required by the Security Council and the Statute of the Tribunal. If approved, we will adhere strictly to the provisions of the General Assembly resolution and write to all Member States requesting their assistance.

I would be most grateful if you would consider this request. I am available at any time to discuss this matter and to provide more information, as needed. I look forward to hearing from you at your earliest convenience.

(*Signed*) Louise **Arbour**
Prosecutor

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Human resources management

Letter dated 11 June 1999 from the Secretary-General to the President of the General Assembly

I have the honour to seek the concurrence of the General Assembly with respect to a two-month extension of the services of the one remaining individual brought in as gratis personnel in the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 until the end of August 1999. This request is made pursuant to paragraph 18 of General Assembly resolution 52/234 of 26 June 1998.

The one remaining individual brought in as gratis personnel in the International Tribunal for the Former Yugoslavia started to serve with the Office of the Prosecutor in April 1995, and has been the leading prosecution co-counsel in the Blaskić trial, which commenced in July 1997. As reported in paragraph 9 of document A/53/847 and paragraph 8 of document A/C.5/53/54, and as noted by the General Assembly in its resolution 53/218 of 7 April 1999, the service of this individual brought in as gratis personnel was extended exceptionally until 30 June 1999, to allow for the anticipated completion of the trial on the same date or earlier. The Prosecutor of the International Tribunal for the Former Yugoslavia has now advised me that, contrary to earlier expectations, the Blaskić trial is currently expected to end by the end of August 1999, for the following reasons.

First, the Defence has exceeded, by 8 days, the time limit of 30 trial days established by the Trial Chamber for the presentation of its case in chief. Under the existing courtroom schedule, eight full trial days consists of approximately three weeks of actual time. More time will be required for a number of additional defence witnesses. The Prosecution also intends to avail itself of its right to call a number of witnesses in rebuttal.

It should be noted that the Trial Chamber has approved the Defence's request to exceed the 60-day limit so as to present the additional testimony mentioned above. Throughout late 1998 and early 1999, the Prosecution's expectations and planning regarding the conclusion of the trial were based on the Defence's adherence to the 60-day limit imposed by the Trial

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Chamber, an expectation which did not materialize. In this connection, it is by no means unusual for criminal trials to exceed projected forecasts.

Second, the Trial Chamber has decided to call six additional witnesses, pursuant to rule 98 of the Rules of Procedure and Evidence of the International Tribunal for the Former Yugoslavia. This Rule authorizes the Judges to call witnesses on their own volition. The Prosecutor has submitted that her staff could not have anticipated that the Chamber would avail itself of this provision.

Third, one of the original Judges of the Trial Chamber was forced to withdraw from the case in early 1999 for health reasons. The replacing Judge needed several weeks to familiarize himself with the case.

Without these delays, the trial would have been completed well before 30 June 1999. The Prosecutor's best estimate now is that, having regard to the remaining cross-examination of the accused, the additional defence witnesses, the additional prosecution witnesses in reply, the six witnesses called by the Trial Chamber, and the time needed for preparing the closing arguments and the concluding prosecution trial brief, the individual brought in as gratis personnel will be fully committed until the end of August 1999.

The Prosecutor has stressed that it would be impossible for her to replace the individual brought in as gratis personnel at this critical stage of the case. Given the functions he has performed since the start of the trial and the vital role that he will play during the closing stages of the proceedings, his premature departure would significantly weaken the Prosecution's case, and prevent the Prosecutor's Office from being fairly and equitably represented at the trial.

I believe that the current situation in the Blaskić trial is the result of exceptional trial-related circumstances which are beyond the control of the Secretariat. Moreover, I am fully satisfied of the legitimacy of the request of the Prosecutor for the final extension of the services of the individual brought in as gratis personnel until the end of August 1999. I therefore recommend that the General Assembly approve the request of the Prosecutor to extend the services of the individual brought in as gratis personnel until 31 August 1999.

(*Signed*) Kofi A. **Annan**
Secretary-General

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SECURITY COUNCIL
Fifty-fourth year

THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

Report of the Secretary-General

I. INTRODUCTION

1. This report is submitted pursuant to paragraph 22 of General Assembly resolution 53/203 A of 18 December 1998, in which the Assembly requested the Secretary-General to report every three months during its fifty-third session on the progress of the United Nations Special Mission to Afghanistan (UNSMA). The present report, which covers developments since the issuance of the Secretary-General's report of 31 March 1999 (A/53/889-S/1999/362), is also submitted in response to requests by the Security Council for regular information on the main developments in Afghanistan.

II. RECENT DEVELOPMENTS IN AFGHANISTAN

A. Political developments

2. My last report described the two rounds of intra-Afghan talks held in Ashkabad, Turkmenistan, which concluded on 15 March with a statement issued by the two parties, indicating that they would meet again, preferably inside Afghanistan, after the religious holiday of Eid-Al-Fitr. Shortly after the talks concluded, the two sides lapsed into mutual public recriminations, which cast doubt on whether talks would resume at all. On 10 April, the Taliban supreme leader, Mullah Mohammad Omar, issued a statement indicating that the Taliban were not willing to continue talks with the opposition.

3. There has been no change in the Taliban decision since then despite the United Nations's efforts to persuade them otherwise (see paras. 11-14 below). The Taliban viewpoint is that the talks can only be resumed if the opposition accepts the Emirate system. The Taliban would be prepared to share Government

with the other side in the event that the latter join the Emirate. Commander Ahmad Shah Massoud and his spokesmen have repeated that they cannot accept the Emirate system since the Taliban have no popular or legal mandate to govern or to dictate terms.

4. The talks have thus stalled. Mutual confidence has eroded and meaningful contact between the two sides at a senior level is negligible. The two sides have chosen to revert to fighting to settle their differences. The escalation and spread of the fighting is detailed in the paragraphs 8 to 10 below.

5. There is widespread disappointment over the breakdown in the talks, expressed by both the international community at large and by most key neutral Afghan political groups. Both I and my Special Envoy have expressed the United Nations deep regrets over the Taliban's decision not to return to the negotiating table. The President of the Security Council, in a statement to the press on 19 April, urged the two sides to resume talks. Russia and Pakistan also released a joint statement along the same lines during the visit of the Prime Minister of Pakistan, Mr. Nawaz Sharif, to Moscow. The United States Assistant Secretary of State for South Asian Affairs has urged Pakistan and the Islamic Republic of Iran to use their influence to persuade the warring factions to restart the talks. Many neutral Afghan personalities have also supported the resumption of dialogue.

6. On 29 April, the former King of Afghanistan, Zahir Shah, announced an initiative whereby a group of 30 Afghan political figures would meet in Rome to prepare for the convening of a Loya Jirqah (Grand Assembly). The Taliban have publicly rejected this initiative, stating that the former King had lost the people's trust. The United Front (UF) welcomed the idea of the Loya Jirqah and awaited more detail. A broad range of Afghan groups as well as certain Member States, including the United States of America, have welcomed Zahir Shah's initiative.

7. China and Japan were among a few countries which have recently sent delegations of diplomats to Kabul and other places in Afghanistan. Pakistan, Turkmenistan and the Taliban signed a tripartite declaration of intent on 30 April to construct a gas pipeline traversing Afghanistan on a north-south axis. The Uzbek Minister for Foreign Affairs, Abdulaziz Kamilov, visited Islamabad and Kandahar from 31 May to 2 June. A Taliban delegation led by the Minister of Mines visited Switzerland on official invitation at the end of May.

B. Military situation

8. The period under review has seen a marked deterioration in the military situation. The military posture of both belligerents has hardened. The UF military commander, Ahmad Shah Massoud, met the Russian Minister of Defense in early April. On 11 April, the day after the Taliban's decision not to resume the peace talks, the UF fired three rockets into the suburbs of Kabul. This shelling of Kabul continued sporadically throughout the reporting period, culminating in over 40 rockets being fired during May, with 20 fired on 20 May alone, resulting in 2 civilian casualties.

9. The fighting intensified in the northern and central areas. On 16 April, heavy fighting broke out around Khenjan, north of the strategic Salang tunnel in Baghlan province, as well as in various localities of Faryab province in the north-west. Small scale guerilla activity also occurred in the eastern provinces of Laghman and Kunar. On 21 April, anti-Taliban forces, comprising elements from the Hezb-e-Wahdat and Harakat-e-Islami, seized the city of Bamyan in central Afghanistan from the Taliban. On 28 April, the Taliban launched a counter attack on Bamyan and conducted bombing missions on UF-held towns such as Taloqan, Dara-e-Suf and Jebel-u-Seraj. On 2 May, more heavy fighting took place on the front lines north of Kabul as well as around Khanabad in Kunduz province. On 9 May, the Taliban succeeded in recapturing Bamyan and proceeded further to take Yakolang, the second largest town in Bamyan province, on 14 May.

10. On 19 May, the Taliban reported an attempted uprising in the western province of Herat by Afghan dissidents, who, the militia alleged, had been supported by a neighbouring country, the Islamic Republic of Iran. The Islamic Republic of Iran categorically denied the involvement in the event. Over 100 arrests were made by the Taliban and some eight people were executed. The UF claimed that over 50 people were executed. The Harakat-e-Islami, an opposition Shia party, accused the Taliban of conducting a systematic purge of Shia in Herat.

III. ACTIVITIES OF THE MISSION

11. Since the conclusion of the second round of intra-Afghan talks in Ashkabad on 15 March, the Mission has spared no effort to try to persuade the two sides to resume their talks in accordance with the Ashkabad declaration. To this end, UNSMA has held a series of face-to-face meetings with senior advisers from both sides. The Mission has urged that if the two sides feel unable to resume the talks at a high level and in the same format, then consideration should at least be given to some form of direct contact.

12. To create a more conducive atmosphere for talks to resume, the Mission has encouraged both sides to consider and agree upon mutual confidence-building measures. The Security Council, in a statement to the press on 19 April, asked the Mission to pursue confidence-building measures with the two belligerents.

13. The Mission has promoted three types of confidence-building measures: military, political and humanitarian. The proposals for military measures have included the appointment by the two sides of military liaison officers and the formation of a joint conflict control centre. Political measures involve finding out whether there is scope for joint statements by the two sides on such issues as military truces or ceasefires to allow the polio immunization campaign to proceed. Humanitarian measures include the exchange of prisoners and of comprehensive lists of prisoners held; and allowing the free flow of commercial and relief goods.

14. The response of the two sides to these overtures was initially receptive but they have become markedly less interested as the fighting has escalated. So far, the one confidence-building measure on which both sides have been able to agree, in principle, is the release of prisoners-of-war. The Mission had

suggested to both sides a large enough exchange to show their genuine commitment and proposed the release of 200 prisoners-of-war by each side. Both sides agreed, but, at the time of writing, had not yet implemented this understanding.

15. The Mission has kept a rotational presence in Kabul since 10 April, when UNSMA military advisers returned to Kabul for the first time since late August 1998. UNSMA officers also joined United Nations inter-agency missions to other Afghan cities. The senior military adviser went, in mid-May, on the first United Nations mission to Mazar-e-Sharif since its withdrawal in August 1998.

16. The Mission has emphasized its close cooperation with the assistance community and has participated in meetings with organizers for the Afghanistan Support Group (ASG) meeting held in Stockholm on 21 and 22 June. UNSMA and the office of the United Nations Humanitarian Coordinator produced a joint paper for the meeting, examining further the actual and potential scope for cooperation between the political and humanitarian efforts in promoting peace.

17. Members of the Mission participated in an assessment mission for the proposed Civil Affairs Unit within UNSMA. The mission visited Kandahar, Kabul and Dushanbe and met senior representatives of the Taliban and UF. The Mission explained to them the purpose of the proposed Civil Affairs Unit. Both sides gave their agreement and support for the proposal.

18. Following the recommendations of the assessment mission for the establishment of a Civil Affairs Unit as part of UNSMA, the United Nations will start recruitment of civil affairs officers for phased deployment both in the Taliban and non-Taliban areas, security conditions permitting. The initial objectives of the UNSMA civil affairs officers will be modest, in view of the complex and difficult situation on the ground. They will work closely with local Afghan authorities as well as with United Nations agencies and programmes, NGOs and other human rights organizations. Their primary objective should be to seek, through their presence and contacts with the local authorities, to promote respect for minimum humanitarian standards and deter massive and systematic violations of human rights and humanitarian law in the future. The Civil Affairs Unit will report to the Department of Political Affairs through the Mission on a regular basis.

IV. MY SPECIAL ENVOY AND ACTIVITIES AT UNITED NATIONS HEADQUARTERS

19. On 26 March, my Special Envoy for Afghanistan, Lakhdar Brahimi, completed his latest mission to Afghanistan and the region, the details of which were described in my previous report. Mr. Brahimi then came back to New York in early April for consultations with me and senior Secretariat officials, as well as with representatives of Member States concerned.

20. Mr. Brahimi visited Washington on 16 April for consultations with officials at the State Department. On 19 April, he briefed the Security Council on the outcome of his mission and the political and military situation on the ground. He expressed concern over the lack of progress for peace owing to the absence of political will on the part of the Afghan warring factions, which seemed to be

bent on fighting each other. He also expressed disappointment with the modest level of cooperation among countries concerned, in particular those of the "six plus two" group. My Special Envoy reminded the Council that Afghanistan was a landlocked country and that ammunition, weapons and other war matériel, which had so far enabled the Afghan factions to continue fighting, must either have come from or through those neighbouring countries.

21. Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs, convened a meeting of the "six plus two" informal group, at the ambassadorial level, on 12 May, with a view to discussing the proposed high-level meeting in Tashkent. The group comprises all the immediate neighbours of Afghanistan - China, the Islamic Republic of Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan - as well as the Russian Federation and the United States of America. Explaining the developments in Afghanistan, including the collapse of the intra-Afghan dialogue in Ashkabad, Mr. Prendergast voiced disappointment at the lack of real progress towards peace and stressed the responsibility of the group to find a common approach for a settlement of the Afghan conflict.

22. In accordance with the agreement reached at the meeting, experts of the six plus two group met on 25 May to discuss the text of a draft statement for the proposed high-level meeting of the group in Tashkent. However, little progress was made owing to differences on various substantive points among the members.

V. HUMANITARIAN SITUATION AND HUMAN RIGHTS

A. Humanitarian situation

23. The ongoing conflict continues to affect all aspects of civilian life in many parts of Afghanistan. Continued instability in parts of the central, northern and western regions augurs more civilian suffering and will create new humanitarian challenges. The food supply remains precarious in many parts of the country.

24. Regarding health needs, the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), in collaboration with the Afghan health officials and non-governmental organizations (NGOs), carried out the first round of the National Immunization Days from 9 to 11 May, providing oral polio vaccine for over 3.6 million children under five. UNICEF and WHO continue to provide health education and medical supplies to health institutions in various parts of the country. WHO and UNICEF, in collaboration with local officials and the Food and Agriculture Organization of the United Nations (FAO), are seeking to assist the population of Gulran district in Herat province where a mystery disease, which appeared in May, killed about 200 people.

25. Refugees continue to return. Two hundred-eighty Afghan refugee families returned with the assistance of the Office of the United Nations High Commissioner for Refugees (UNHCR) from Hangu and Thall camp in Pakistan to Logar and Paktia provinces in Afghanistan. From Balochistan, 114 families returned in late May, mostly to Balkh and Jowzjan provinces. A total of 339 families returned from Pakistan via Afghanistan's southern region. Over 80 families and more than 2,500 individuals returned from the Islamic Republic of Iran to Nimroz

province. A planned voluntary repatriation of Afghan refugees from Iran through Herat is expected to begin on 19 June. The World Food Programme (WFP) has allocated 6,500 tons of food aid as a repatriation package for up to 130,000 returnees from Pakistan and the Islamic Republic of Iran, who are anticipated to settle in four areas of Afghanistan.

26. Regarding narcotics, a strategic analysis of the expansion of opium cultivation in Afghanistan was conducted in three districts of Kunar, four districts of Laghman and one district of Logar provinces. The annual opium poppy survey of the United Nations International Drug Control Programme is under way, performed by 58 trained survey coordinators in southern and eastern regions in May. A survey in Badakhshan province is to follow in June. The overall survey will be completed in three months time and the final report issued by September 1999.

27. In the area of mine-clearance, the Mine Action Programme for Afghanistan within the United Nations Office for the Coordination of Humanitarian Assistance to Afghanistan has thus far cleared 13.9 million square meters of mined and battlefield areas and surveyed 12.4 million square meters of minefield areas. The total remaining mined area is estimated at 703 square kilometres, of which over 90 per cent is agricultural and grazing land. Since 1990, the Programme has destroyed nearly one million mines and unexploded ordnance in Afghanistan and briefed 4.7 million civilians on mine awareness.

28. In Kabul, an estimated quarter of the one million residents receive some form of international humanitarian assistance. Many families have sold their belongings to survive. However, life in Kabul has not come to a standstill following the partial withdrawal in July 1998 of support for humanitarian programmes (along with the bulk of the NGOs). Core emergency feeding programmes have continued despite some disruptions. There is no significant investment in rehabilitation of the infrastructure or commercial development and employment opportunities are few. Salaries for civil servants are either paid late or not at all.

29. The focus of emergency humanitarian assistance in the Kabul region this spring was on Wardak and Logar provinces, where thousands of rural families lost their homes in an earthquake in February 1999. A programme is under way for the rehabilitation of up to 8,000 destroyed homes, aimed at providing basic shelter before the winter. Kabul-based agencies are developing a regional disaster plan to meet future natural or man-made disasters. International help has been extended to the war-affected population of the Shomali valley, north of Kabul. Its extensive irrigation network is of potential importance for the area's food security. Efforts by United Nations agencies and others to transport vaccines and other essential supplies by land to the area continue to meet with unnecessary obstructions.

30. In central Afghanistan, continued fighting between Taliban and UF forces in the three districts of Bamyan, Shibar and Yakolang (estimated population 182,000) has resulted in some 20,000 people leaving Bamyan and Shibar and an unknown number fleeing Yakolang. Most of the displaced have sought sanctuary with the local population in neighbouring districts and around 100 to 150 people have been arriving daily as refugees in Quetta, Pakistan. In Hazarajat, food

production, food availability and transport accessibility are all at risk and transport costs have increased. The population has not yet recovered from the blockade of 1997-1998.

31. A food security coordination group, comprising NGOs and United Nations agencies, has launched an integrated response to the food shortages. This operation aims to assist 30,000 vulnerable households by the end of 1999, through food distribution and cash for work schemes. The World Food Programme will send 1,800 tons of food for over 70,000 people in the central highlands of Hazarajat, targeting the poorest, the landless, female-headed households and the displaced.

32. In northern Afghanistan, the first mission of United Nations international personnel, comprising the office of the United Nations Coordinator, WFP, the United Nations Centre for Human Settlements, UNICEF, the Office of the United Nations High Commissioner for Human Rights, FAO and UNSMA, visited the regional capital of Mazar-e-Sharif in May. United Nations activities will increase gradually over the forthcoming months. Negotiations are ongoing with the Uzbekistan authorities to permit the United Nations, and specifically WFP, to import wheat by barge across the Amu Darya (the frontier bridge has been closed since May 1997). The area is not easily reached from the south because of the closure of the Salang highway.

33. Fighting in the north in 1997 and 1998 exacerbated existing social and economic problems and accentuated rehabilitation needs. Urban population displacement has been considerable but many people have now returned, although they have lost most of their assets. Urban poverty is high as a result of the collapse in the casual wage-labour market and internal and external trade. People continue to sell off their household possessions. Education, especially female education, formerly at high levels in the region, has been curtailed by the Taliban, despite continued public demand.

B. Human rights

34. The new Special Rapporteur on the situation of human rights in Afghanistan, Mr. Kamal Hossain, visited Kabul in mid-March as well as Islamabad and Peshawar, Pakistan. He presented his report to the fifty-fifth session of the United Nations Commission on Human Rights in April (E/CN.4/1999/40).

35. Mr. Hossain, both in his oral and written reports, drew attention to the devastating impact of the years of war on the human rights of the Afghan people. He noted that an unceasing flow of arms to all sides in the conflict has been "a critical factor which contributes to the persistence of human rights abuses by subjecting men, women and children to the arbitrary rule of those who use those arms and by making people virtual hostages in their own land". He also expressed concern about the deteriorating socio-economic status of many Afghans whose basic rights were being jeopardized in the face of growing impoverishment and marginalization. He expressed particular concern about the situation of women and children, who constitute the majority of those in need of humanitarian assistance.

36. With renewed outbreaks of fighting and intensification of the war in several parts of Afghanistan, civilians are being subjected to serious violations of their rights. In response to reports of summary executions of non-combatants, including women and children, in their homes, arbitrary detentions, forced displacement, use of forced labour and burning of homes and property in the central highlands of Hazarajat, the Special Rapporteur visited Quetta, Pakistan, on 22 May where he met refugees who provided credible eye-witness accounts of gross violations of human rights during March, April and May 1999. There have also been reports of human rights abuses by Hezb-e-Wahdat forces.

37. On 23 May, Mr. Hossain visited Kandahar where he met Taliban officials and discussed with them his concern about the situation in Hazarajat. He underlined the need for the Taliban to issue instructions to their military commanders to refrain from further violations, to release all civilians who had been detained arbitrarily, including those reportedly in forced labour camps, to investigate all alleged violations and to prosecute those guilty of such violations. He also requested access to Hazarajat to assess the human rights situation and to assist in remedying the situation.

38. The authorities in Kandahar indicated that, given the security situation, it would be unsafe for the Special Rapporteur to visit Hazarajat and promised to undertake their own investigation and advise him of the outcome. Although the Taliban authorities later commented on recent events in Hazarajat, they have not provided the information requested on the alleged human rights violations. Neither does it appear that any remedial action has been taken. The Special Rapporteur has again indicated his interest in visiting Afghanistan to undertake a more thorough investigation with a view to determining the facts and reviewing his findings with the relevant authorities so that appropriate action can be taken.

39. The Office of the United Nations High Commissioner for Human Rights is now in the process of fielding a team tasked with investigating alleged massacres and other gross violations of human rights and international humanitarian law in northern and central Afghanistan in 1997 and 1998. A Chief Investigator has been appointed and investigating work has begun. After the completion of its field work, the team will report its findings to the High Commissioner.

VI. OBSERVATIONS

40. It is most disappointing to observe the annual rite of intensified fighting in Afghanistan in the spring and summer months repeating itself once again. Hopes for peace, which were raised by direct talks between the belligerents during winter, have again proven to be illusory.

41. I remain convinced that, to break this futile annual cycle of false expectations and depressing recurrence of violence, the Afghan factions, and also those countries supporting them, must finally recognize that the conflict cannot be resolved through warfare and that a negotiated settlement represents the only viable path to lasting peace. The constant shifting of the front lines

underlines the futility of war as well as the need for sustained dialogue towards a peaceful settlement.

42. The chronic fighting and the resultant political uncertainty has exacerbated the human misery of innocent Afghan people, who have already suffered for too long and are the real victims of this endless war. Therefore, I welcome the support given by the two Afghan sides to the proposed Civil Affairs Unit of UNSMA. I am profoundly disturbed at the credible reports emanating from the central region of Afghanistan of human rights violations.

43. Once again, I strongly urge the two warring sides to resume the direct talks unconditionally and without delay. I also renew my appeal to countries concerned, in particular members of the "six plus two" informal group, to achieve closer coordination among themselves and reinvigorate their efforts to find a common approach towards a settlement of the Afghan conflict. The United Nations stands ready to assist in this regard.

44. Meanwhile, I will continue to utilize all the diplomatic means available to persuade the two sides to resume discussions and agree to halt their offensive operations and to encourage and support Afghans, of whatever political persuasion, to work together more actively to achieve national reconciliation. In this regard, I note with interest the initiative taken by the former King to prepare for a Loya Jirgah and hope that it will contribute to the creation of a solid basis for a wider political consensus.

45. I am pleased to note that the return of United Nations international staff to Afghanistan has progressed well and without major mishap. Continued efforts need to be made to ensure that international staffing levels are sufficient to support vital humanitarian and other activities.